

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF THE GAS COSTS OF B&H GAS )  
COMPANY PURSUANT TO KRS 278.2207 AND THE ) CASE NO.  
WHOLESALE GAS PRICE IT IS CHARGED BY ITS AFFILIATE, ) 2015-00367  
B&S OIL AND GAS COMPANY, PURSUANT TO KRS 278.274 )

ORDER

On February 10, 2016, Commission Staff ("Staff") issued its First Request for Information ("Staff's First Request") to B&H Gas Company and B&S Oil and Gas Company (jointly "the Companies"). The Companies were required to file responses to Staff's First Request within 14 days of the date of the request, or on or before February, 24, 2016. After receiving from the Companies no response or request for an extension of time to respond to Staff's First Request, the Commission issued an Order on March 8, 2016, directing the Companies to provide the requested information within ten days of the date of that Order or be subject to a show cause proceeding and potential penalties pursuant to KRS 278.990 for their failure to respond to the request. On March 18, 2016, the Companies filed their responses to Staff's First Request.

Pursuant to the request of the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention ("AG"), an Order was issued on April 13, 2016, establishing a procedural schedule for the processing of this matter. In accordance with the procedural schedule established in that Order, on April 29, 2016, both the Staff and AG submitted supplemental requests for information ("the Staff's and AG's Supplemental Requests") to the Companies. Pursuant to the established procedural schedule, the Companies were to respond to those requests no later than

May 12, 2016. To date, the Companies have not responded to the requests, nor have they submitted a motion, or any other document, seeking additional time in which to respond.

807 KAR 5:001, Section 4(12)(b), states that:

Commission staff, through the commission's executive director, may request information from any party to a case on the commission's behalf.

KRS 278.990(1), states, in part, that:

An officer, agent, or employee of a utility, as defined in KRS 278.010, and any other person who . . . fails to obey any order of the commission from which all rights of appeal have been exhausted. . . . shall be subject to either a civil penalty to be assessed by the commission not to exceed two thousand five hundred dollars (\$2,500) for each offense or a criminal penalty of imprisonment for not more than six (6) months, or both.

Based on the evidence of record, the Commission finds that:

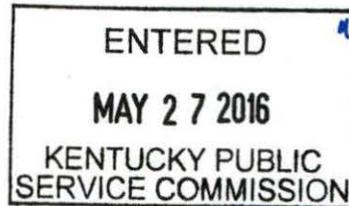
1. In compliance with the April 13, 2016 Order, the Staff's and the AG's Supplemental Requests were issued on April 19, 2016.
2. Contrary to the deadlines set forth in the Commission's April 13, 2016 scheduling Order, the Companies, to date, have neither filed responses to the Staff's and the AG's Supplemental Requests as due on May 12, 2016, nor have they filed any motion requesting an extension of time to file the responses.
3. The Companies should respond to the Staff's and the AG's Supplemental Requests within seven days of the date of this Order.
4. If responses to the Staff's and AG's Supplemental Requests are not filed within the time set forth above, the Companies may be subject to penalties, as permitted, pursuant to KRS 278.990(1).

IT IS THEREFORE ORDERED that:

1. Within seven days of the date of this Order, the Companies shall respond to the Staff's and AG's Supplemental Requests.

2. If responses are not received within seven days of the date of this Order, a show cause proceeding will be initiated to determine whether there are any reasons why penalties should not be imposed upon the Companies pursuant to KRS 278.990 for their failure to comply with this Order.

By the Commission



ATTEST:

*Cavan D. Grunwell*

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